

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

EVA MEMAR,)	
)	
Plaintiff,)	CIVIL ACTION FILE
)	NO. _____
v.)	
)	
WHITE HORSES TRUCKLINE,)	
INC.; UNITED SPECIALTY)	
INSURANCE COMPANY; and)	
NAHAR SINGH SOHI,)	
)	
Defendants.)	

NOTICE OF REMOVAL

COME NOW defendants and, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, file this notice of removal within the time prescribed by law, showing the Court as follows:

1.

On November 11, 2021, plaintiff filed a complaint in the State Court of Gwinnett County, Georgia, Civil Action No. 21-C-08087-S4, which county is within the Atlanta Division of the Northern District of Georgia.

2.

A true and correct copy of all process, pleadings, and orders filed in connection with this action is attached hereto as Exhibit A. Defendants have no

knowledge of any other process, pleadings, or orders filed or served in connection with this action, other than those attached hereto.

3.

This Court has original jurisdiction over the above-referenced case under 28 U.S.C. § 1332.

4.

This notice of removal is filed within the time period prescribed by 28 U.S.C. § 1446(b).

5.

There is complete diversity among the parties. *See* 28 U.S.C. § 1441(b)(2).

6.

Plaintiff is a citizen of Georgia. (Compl. ¶ 1.)

7.

Defendant White Horses Truckline, Inc. is a corporation existing under the laws of California with its principal place of business in California. (Compl. ¶ 2.) Accordingly, it is a citizen of California for purposes of diversity jurisdiction. 28 U.S.C. § 1332(c)(1).

8.

Defendant United Specialty Insurance Company is an insurance company existing under the laws of Delaware with its principal place of business in Texas. (Compl. ¶ 3.) Accordingly, it is a citizen of Delaware and Texas for purposes of diversity jurisdiction. 28 U.S.C. § 1332(c)(1).

9.

Defendant Nahar Singh Sohi is a citizen of California. (Compl. ¶ 4.)

10.

Defendants makes a plausible allegation that plaintiff is seeking recovery in an amount in excess of \$75,000, exclusive of interest and costs. *Dart Cherokee Basin Operating Co. v. Owens*, 574 U.S. 81, 135 S. Ct. 547, 554 (2014). Specifically, plaintiff seeks (a) special damages past and future medical expenses; (b) general damages for significant physical, mental, and emotional injuries; loss of enjoyment of life; pain, suffering, and mental anguish; permanent medical impairment; (c) punitive damages; and (d) further relief as the Court deems just and proper. (Compl. ¶¶ 17, 20, 44-47, 51, and Prayer for Relief.) Plaintiff's counsel has confirmed that he anticipates damages in this case will exceed \$75,000 and he does not oppose removal of this case to federal court. (See 12.2.2021 emails by and between defense counsel and plaintiff's counsel; a true and correct copy is attached as Exhibit B.)

11.

The undersigned has read this notice of removal, and to the best of the undersigned's knowledge, information, and belief, formed after reasonable inquiry, it is well-grounded in fact, is warranted by existing law, and is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

WHEREFORE, this notice of removal having been filed, said action shall proceed in the United States District Court for the Northern District of Georgia, Atlanta Division, and no further proceedings shall be held in said case in the State Court of Gwinnett County.

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/s/ Matthew P. Stone

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing *Notice of Removal* to the Clerk of Court using the CM/ECF system which will automatically send electronic mail notification of such filing to counsel of record who are CM/ECF participants and mailed by United States Postal Service, first-class, postage prepaid, a paper copy of the same document to counsel of record who are non-CM/ECF participants. Counsel of record is:

Joseph A. Zdrilich, Esq.
The Zdrilich Law Group, LLC
3575 Koger Boulevard, Suite 125
Duluth, GA 30096

This 9th day of December, 2021.

/s/ Matthew P. Stone

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